

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Leonid Falberg, as representative of a class of
similarly situated persons, and on behalf of The
Goldman Sachs 401(k) Plan,

Plaintiff,

v.

The Goldman Sachs Group, Inc., The Goldman
Sachs 401(k) Plan Retirement Committee, and John
Does 1-20,

Defendants.

Case No. 1:19-cv-09910-ER

**PLAINTIFF’S MOTION FOR
LEAVE TO FILE UNDER
SEAL**

MEMO ENDORSED

See last page.

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Section 3(ii) of the Court’s Individual Practices, Plaintiff Leonid Falberg (“Plaintiff”) hereby moves this Court for an order allowing him to file the following documents under seal in connection with his reply memorandum in support of Plaintiff’s Motion for Partial Summary Judgment:

1. An unredacted copy of Plaintiff’s Reply Memorandum in Support of Plaintiff’s Motion for Partial Summary Judgment, that, if filed publicly would disclose much of the material previously identified as “Confidential” by Defendants¹;
2. An unredacted copy of Plaintiff’s Response to Defendants’ Statement of Additional Material Facts as to Which There Is No Genuine Dispute (ECF No. 227), that, if filed publicly would disclose much of the material previously identified as “Confidential” by Defendants; and

¹ Plaintiff intends to publicly file a redacted version of the Memorandum that omits references to material designated as “Confidential” by Defendants.

3. An unredacted copy of Plaintiff's Reply to Defendants' Response to Plaintiff's Local Rule 56.1 Statement of Material Facts that, if filed publicly would disclose much of the material previously identified as "Confidential" by Defendants.

Plaintiff takes no position on whether these materials have been properly designated as confidential by Defendants, and it shall be Defendants' obligation to support this motion as the parties who designated the underlying material "Confidential."

WHEREFORE, subject to Defendants making the necessary showing, Plaintiff respectfully requests that this Court enter an order allowing him to file the aforementioned materials under seal in connection with his reply to Plaintiff's Motion for Partial Summary Judgment.

Respectfully Submitted,

Dated: May 9, 2022

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*appearing *pro hac vice*

-and-

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CERTIFICATE OF SERVICE

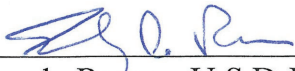
I hereby certify that on May 9, 2022, a true and correct copy of the foregoing was served by CM/ECF to the parties registered to the Court's CM/ECF system.

Dated: May 9, 2022

s/Brock J. Specht
Brock J. Specht

Upon the defendants' response, Plaintiff's application to seal is granted in part and denied in part. Document nos. 250 and 251 shall remain under seal. The Clerk of the Court is respectfully directed to unseal document no. 248.

SO ORDERED.



Edgardo Ramos, U.S.D.J
Dated: 5/24/2022
New York, New York